

SENATE BILL 251

By Haynes

AN ACT to amend Tennessee Code Annotated, Title 68,  
Chapter 11, Part 2, relative to wheeled mobility  
devices.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1 Tennessee Code Annotated, Section 68-11-201, is further amended by deleting subdivision (12) in its entirety and by adding the following language as a new, appropriately designated subdivision:

( ) “Qualified Rehabilitation Professional” means:

(A) A health care professional, within the professional’s scope of practice, licensed under Title 63; or

(B) An individual who has appropriately obtained the designation of ATS or ATP, meeting all requirements thereof, as established by the Rehabilitation Engineering and Assistive Technology Society of North America (RESNA);

SECTION 2 Tennessee Code Annotated, Section 68-11-226(d), is amended:

(A) In subdivision (1) by deleting the language “have on staff a credentialed wheeled mobility person” and by substituting instead the language “have on staff, or contract with, a qualified rehabilitation professional”;

(B) In subdivision (2) by deleting the language “by a credentialed wheeled mobility person” and by substituting instead the language “by a qualified rehabilitation professional”; and

(C) In subdivision (3) by deleting all language following the phrase “obtain a complete” and by substituting instead the language “face-to-face written evaluation and recommendation by a qualified rehabilitation professional for consumers of prescribed wheeled mobility devices.”.

SECTION 3. Tennessee Code Annotated, Section 68-11-226(d), is amended by adding the following language as new subdivisions:

(4) On and after the effective date of this act, a one hundred-eighty (180) day grace period shall be provided to organizations that provided prescribed wheeled mobility devices if the qualified rehabilitation professional on staff ceases to be employed and the organization has no other qualified rehabilitation professional on staff.

(5) On and after the effective date of this act, all organizations making available prescribed wheeled mobility devices to consumers in the state of Tennessee shall have a repair service department located in the state. The organization shall have a qualified technician with knowledge and capability of servicing the product provided to the consumer. As used in this section "consumer" means an individual for whom a wheeled mobility device, manual or powered, has been prescribed by a physician, and required for use for a period of six (6) months or more.

(6) In order to ensure equal access to prescribed wheeled mobility devices, the bureau of TennCare shall provide that reimbursement levels for wheeled mobility devices in the medical assistance program under title 71, chapter 5, part 1, shall be at least equal to the reimbursement levels allowed under Medicare for the same device. If no Medicare reimbursement exists, then the reimbursement level shall be the manufacturer's suggested retail price.

SECTION 4. This act shall take effect July 1, 2007, the public welfare requiring it.